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Registration No. (if known): 10/645,328

Attorney Docket No.: 05986/100K521-US1

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Request For Continued Examination (RCE)  
Processing Fee Transmittal  
Amendment Transmittal Letter  
Amendment Responsive to Office Action of August 1, 2005 (12pp)  
Interview Summary Record (2pp)

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Docket No.: 05986/100K521-US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Rodolfo R. Llinas

Application No.: 10/645,328

Confirmation No.: 7569

Filed: August 21, 2003

Art Unit: 3736

For: BRAIN- MACHINE INTERFACE SYSTEMS  
AND METHODS

Examiner: N. Natnithithadha

**INTERVIEW SUMMARY RECORD**

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

On October 18, 2005, the undersigned held a telephonic interview with Examiner Natnithithadha with respect to the above-identified patent application. Applicant appreciatively acknowledges all the courtesy and effort extended to his attorney, Pierre Yanney, during the Interview.

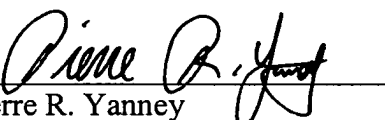
The restriction requirement with respect to claims 37 and 38 was discussed. The Examiner affirmed that claims 37 and 38 are restricted because a method and apparatus for sensing the activity of neural tissue is distinct from a method and apparatus for sensing muscle tissue. The

Examiner stated that a separate search would be required for a method and apparatus for sensing muscle tissue.

Cited references, U.S. Patent No. 5,515,848 to Corbett, III et al., U.S. Patent No. 5,201,903 to Corbett, III et al., and U.S. Patent No. 5,883,603 to Kovacs were discussed in reference to claim 1. Applicant's attorney submitted that none of cited references disclosed an electrode being of sufficiently small size such that it is capable of being inserted into a capillary. The Examiner noted the distinction but stated that this feature as recited in the claims was not clear enough to distinguish the invention over the prior art. It was proposed to amend the claims to recite an electrode having a dimension smaller than 10  $\mu\text{m}$ . The Examiner stated that this distinction would be considered favorably.

Dated: October 31, 2005

Respectfully submitted,

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